APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/220,436	12/24/98	ABBOTT	A P-5350

024510
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EXAMINER
WILLETT, S

ART UNIT	PAPER NUMBER
2152	

DATE MAILED:
09/25/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

☒ Responsive to communication(s) filed on _Dec 24, 1998_ _____ .

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____3_____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) _1-9_ _____ is/are pending in the application.

    Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) _1-9_ _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

    ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

        ☐ received.

        ☐ received in Application No. (Series Code/Serial Number) _____ .

        ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    *Certified copies not received: _____ .

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). ___4___

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- *SEE OFFICE ACTION ON THE FOLLOWING PAGES* ---

DETAILED ACTION

Drawings

1.   The drawings are objected to because of the informalities noted on the attached PTO

948. Correction is required.

2.   This application has been filed with informal drawings which are acceptable for

examination purposes only. Formal drawings will be required when the application is

allowed.

Claim Rejections - 35 USC § 103

3.   This application currently names joint inventors. In considering patentability of the claims

under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was

commonly owned at the time any inventions covered therein were made absent any evidence to

the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor

and invention dates of each claim that was not commonly owned at the time a later invention was

made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35

U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cobb et al.

with Patent Number 5,956,506 in view of Chow et al. with Patent Number 6,029,175.

6.   Regarding claims 1 and 6, Cobb teaches a system to enhance procedural software using objects. Cobb teaches *a client component: a server component, said client component arranged to make requests to said server component* as "the application comprises a number of objects that exchange messages to accomplish the actions required by the transaction", col. 4, lines 25-27. Cobb teaches *means maintaining a representation of requests which can be satisfied by said server* as "the classes and methods of the mapping encapsulate the system software function", col. 3, lines 36-37. Cobb teaches *said request intercepting component thereafter passing the request on to said server to execute* as "this allows unique behavior to be introduced on a per-action or per-transaction basis", col. 3, lines 57-59. Cobb teaches the invention in claim 1 except for explicitly *a request intercepting component, arranged to intercept requests from said client component to said server component, and to establish from said representation if a request is supported by the server; wherein said request intercepting component is arranged to search external sources to locate and provide to said server additional functionality if required for said server to support said request if said request is not supported.* In that Cobb operates to modify objects, the artisan would have looked to the client/server object arts for details of implementing new versions of objects. In that art, Chow, a client/server system, teaches a "Revision manager is connected to function as an intermediary between a number of Mosaic browsers", col. 9, lines 33-34 in order to "automatically be provided with updates to a document of interest" col. 9, lines 59-60. Chow, specifically teaches "the Revision Manager acta as an intermediary between browser client and a Remote HTTP server", col. 9, lines 52-54 and "the Revision Manager Polling Daemon periodically and spontaneously scans the root directory" and "if there is at least one

client which is to be notified in the case the document has been changed", col. 10, lines 47-49, 55-56. Commands are intercepted and objects or documents are found to better satisfy the command. Further, Chow suggests that "automatically retrieving changed documents previously accessed from network and internetwork server", col.3 , lines 61-63 will result from implementing his command interceptor. The motivation to incorporate a new or advanced object version insures the objects have more functionality. Thus, it would have been obvious to one of ordinary skill in the art to incorporate the new version finder as taught in Chow into the enhanced objects described in the Cobb patent because Cobb operates with new objects and Chow suggests that new objects can be found and used to increase functionality. Therefore, by the above rational, the above claims are rejected.

7.   Regarding claims 2 and 7, Cobb teaches *said client and server components comprise objects in one or more computer programs* as "the more specific object can 'inherent' all of the data and methods of the parent object", col. 3, lines 11-12. Thus, the above claim limitations are obvious in view of the combination.

8.   Regarding claims 3 and 8, Cobb teaches *an object represented in a dynamic link library file, and wherein said request intercepting component searches for said dynamic link library file, or an updated version of said dynamic link library file if a current version of said dynamic link library file held on said computer system does not provide the functionality of said server component* as "The object oriented system routes the message to an appropriate object method selection using known techniques and the requested method is selected and executed", col. 6, lines 36-39. Thus, the above claim limitations are obvious in view of the combination.

9.   Regarding claims 4 and 8, Cobb teaches *a software program, the server component*

comprises an operating system shell called by the software component, and the request intercepting component is a command interpreter as "the system software application programming interface defines the functions that the software will provide and specifies the information that must be sent to execute that function", col. 3, lines 30-32. Thus, the above claim limitations are obvious in view of the combination.

10.   Regarding claims 5 and 9, Cobb teaches *computer system is a CORBA distributed system, wherein said client and server components are objects on said system and wherein said request intercepting component is in Object Request Broker* as "CORBA defines the interactions between objects, col. 4, lines 14-16. Thus, the above claim limitations are obvious in view of the combination.
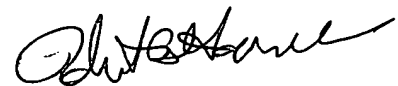

Conclusion

11.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is disclosed in the Notice of References Cited.

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (703) 308-5230. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

13.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Asta, can be reached on (703) 305-3817. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-9731.

14.   Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9605.

ROBERT B. HARRELL
PRIMARY EXAMINER